

No Child Left Behind (NCLB) Interpretive Guide 2010



**Kentucky Department of Education
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Introduction

Senate Bill 1 (SB1) (Kentucky General Assembly 2009) outlined significant changes to Kentucky's Assessment and Accountability Program. SB1 created a three-year interim period (2008-2009, 2009-2010 and 2010-2011) and a new state assessment program beginning in 2012. The interim period allows Kentucky time to develop the new assessment system while maintaining components necessary for federal No Child Left Behind (NCLB) reporting.

Kentucky schools completed the 2010 Kentucky Core Content Test (KCCT) in five content areas: reading, mathematics, science, social studies and writing on-demand. Individual student reports and student performance level definitions will not change. Students will still receive reports that place their performance in each content area into the categories of Novice (low/medium/high), Apprentice (low/medium/high), Proficient and Distinguished (NAPD).

During the interim period, the reports schools and districts receive will be revised to implement SB1 requirements.

No Child Left Behind Report

There are three changes in generating NCLB reports for 2010. NCLB reports provide details on how schools and districts performed compared to their NCLB Adequate Yearly Progress (AYP) goals. NCLB reports are based on student performance on the KCCT in reading and mathematics.

Public Reporting

The Kentucky Department of Education (KDE) will continue to produce a media report for media outlets and the public. The Office of Assessment and Accountability envisions the media report displaying how each school and district performs on the KCCT administered during the interim period.

The media report will include the NAPD distribution of scores for the five state-required content areas (reading, mathematics, science, social studies and writing on-demand). It will provide the public with information on how students score across the NAPD categories in each Kentucky school and district.

No Child Left Behind (NCLB) Overview

The 2001 re-authorization of the Elementary and Secondary Education Act of 1965 was signed into federal law January 8, 2002. Characterized in the statute as, “An Act to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind,” it carries the short title, “No Child Left Behind (NCLB) Act of 2001.” Accountability measures required by the Act, in many respects, have been comparable to those comprising Kentucky’s school testing system. For example, Kentucky set goals for Proficient student performance, and established a support system for schools in assistance via the Kentucky Educational Reform Act (KERA) of 1990 and Senate Bill 1 passed in 2009.

Like Kentucky, many states have modified and/or supplemented their student assessments to comply with the federal statute. During the interim period, NCLB results are used for federal accountability for Title 1 schools and to identify Non-Title 1 schools for state assistance. The United States Department of Education (USED) continues to issue additional guidance on how states may or may not implement the federal law.

Kentucky law authorizes the Kentucky Board of Education (KBE) to implement final assessment and accountability policy decisions after receiving advice from stakeholder groups. The following groups advise and review all NCLB implementation policies or regulations developed by KDE:

- The Office of Educational Accountability
- The National Technical Advisory Panel on Assessment and Accountability (NTAPAA)
- The School Curriculum, Assessment and Accountability Council (SCAAC)
- The Local Superintendent Advisory Committee
- The Legislative Education Assessment and Accountability Review Subcommittee (EAARS)

Kentucky’s system of public education has been a national model for years. Well before NCLB was signed into law, Kentucky adopted and implemented goals it shares with NCLB, including:

- High expectations for all students,

- Rigorous student performance standards and descriptions tied to annual assessments,
- Multiple content-based assessments measuring what students know and can do (such as applying higher-order thinking skills in reading and mathematics),
- School and district accountability,
- School report cards provided performance information to parents, and,
- A goal of Proficiency by the year 2014.

The 2010 NCLB Interpretive Guide is designed to explain how key provisions of NCLB are implemented in Kentucky. If you have questions about the federal accountability rules under NCLB, please visit our web site at <http://www.education.ky.gov> or contact the Office of Assessment and Accountability at (502) 564-4394.

Adequate Yearly Progress (AYP)

Adequate Yearly Progress (AYP) is the term used in NCLB to refer to the minimum improvement required of each school and district over the course of one year. Three components combine to determine whether a school or district achieves AYP:

- Meet Annual Measurable Objective (AMO), a target expressed as the percentage of students reaching the Proficient performance level, in reading and mathematics (up to 3 years of data is averaged), and
- Have a Participation Rate of at least 95%, and
- Meet criteria for Other Academic Indicator.

Full Academic Year

While schools must test all enrolled students and all tested students must be included in the NCLB Participation Rate count, schools are held accountable only for those students enrolled for a “full academic year.” A full academic year is defined as any 100 days of enrollment during the school year up to and including the first day of the testing window.

AMO Sufficient Size

Since subpopulation data are included in NCLB accountability for determining AYP, it must be determined that the subpopulation is of *sufficient size* before evaluating performance against an Annual Measurable Objective (AMO). NCLB allows states to define sufficient size for an accountable subpopulation at a school. Kentucky's NTAPAA recommended the adoption of a "10 per grade and 60 per school or 15% rule". This means that for a school to be held accountable for a subpopulation:

There must be at least 10 students in that subpopulation per accountability grade tested per year,

and

(a) 60 subpopulation students school-wide in the grades where NCLB assessments are administered;

or

(b) Subpopulation count comprises 15% of all accountable students in the grades where NCLB assessments are administered.

Note: A district is calculated as one large school.

Participation Rate for Sufficient Size

There must be at least 10 students per grade and 60 students school-wide to calculate Participation Rate for a subpopulation for 2010.

AYP Decision Components

The following three components are considered in determining whether a school or district makes AYP.

Component 1. Annual Measurable Objective (AMO) in Reading and Mathematics (% Proficient Goals)

All schools in a grade level have the same objectives (starting points and targets). The objectives are expressed as the percent of students at Proficient or above, computed separately in reading and mathematics. (Starting points and AMO by year are given in a chart on page 8 in this Interpretive Guide.) The federal goal is for all

students and subpopulations of *sufficient size* to score at Proficient or above by 2014 in both reading and mathematics.

AMOs reflect un-weighted percentages of students at or above Proficient. Distinguished performance carries no benefit over Proficient performance in federal accountability. Furthermore, higher scores in one of the two content areas do not compensate for lower scores in the other.

While Kentucky values performance in five core content areas, federal requirements currently value performance in reading and mathematics exclusively.

Note: While NCLB required in 2006 the assessment of science once in elementary, in middle, and in high school, science is not required currently to be included in the AYP calculations for NCLB.

Component 2. Meet Other Academic Indicator

In 2010, the Kentucky Board of Education approved a new Other Academic Indicator for elementary and middle school levels in Kentucky regulation 703 KAR 5:060.

Elementary and Middle Schools Level:

- a. Increase percentage Proficient plus Distinguished in combined science, social studies and writing on-demand compared to prior year; or
- b. Perform at or above the state average percentage Proficient plus Distinguished in combined science, social studies and writing on-demand plus a confidence interval; or
- c. Decrease percentage novice in combined reading, mathematics, science, social studies and writing on-demand compared to the prior year.

High School Level:

NCLB requires that the Other Academic Indicator at high school be graduation rate. As part of meeting AYP, NCLB requires all high schools to show improvement in their graduation rates. Kentucky chose not to expand the additional academic indicator beyond graduation rate at the high school level.

Graduation rates are collected with other nonacademic data (e.g. dropout and retention). In NCLB and state reporting, graduation data rate are lagged by one year compared to the academic data

used for NCLB. The graduation rate for 2009, reflected in 2010 NCLB reports uses 2009 data in the calculation below:

[2009 graduates with standard diploma in four years plus 2009 graduates with standard diploma and an Individualized Education Plan (IEP) specifying more than four years to graduate.]
—divided by—
[2009 completers (all students with standard diplomas plus certificate of attainment) plus 2009 grade 12 dropouts plus 2008 grade 11 dropouts plus 2007 grade 10 dropouts plus 2006 grade 9 dropouts.]

Kentucky gives credit for certificates of attainment awarded to Kentucky's most severely disabled students. Kentucky values the performance of these students as much as that of regular-diploma students. *However, the U.S. Department of Education (USED) does not permit states to count certificates of attainment in the numerator of the graduation rate calculation.* It allows credit only for those students receiving regular high school diplomas in four or fewer years. Students with disabilities, who have IEPs documenting their need for more than four years of instruction to complete high school, and qualify for a standard diploma, are considered graduates and included in the numerator of the calculation for NCLB purposes.

The state goal is 98% graduation rate by 2014. Since graduation rate is lagged one year, the goal for 2010 for determining school or district AYP is the target for 2009, or 86.75.

NCLB growth in the graduation rate means:

- (a) A graduation rate that is equal to or greater than the corresponding annual goals adopted by the Kentucky Board of Education or,
- (b) A graduation rate that exceeds that of the prior year by two percent.

Note: The two-percent minimum improvement is implemented in 2010 NCLB reporting for the first time. Kentucky has established minimum improvement as a result of a federal peer review of graduation rate.

**Graduation Rate Target
Each Year From 2004-2014**

Year	Graduation Rate Goal
2004	75.50
2005	77.75
2006	80.00
2007	82.25
2008	84.50
2009	86.75
2010	89.00
2011	91.25
2012	93.50
2013	95.75
2014	98.00

Component 3. Participation Rate of at Least 95%

To meet AYP, the school or district as a whole and each subpopulation of sufficient size must have at least a 95% participation rate.

Components (1) and (3) apply to every school; while (2) the Other Academic Indicator applies differently to elementary and middle schools vs. high schools.

Accountability decisions for P-8, P-12 and 7-12 schools use a combination. See the table below for NCLB Accountability Components by School Configuration.

NCLB Accountability Components by School Configuration					
AMO Targets			95% Testing	Other Academic Indicator	
School Configuration	Reading AMO	Math AMO	Participation Rate	Performance*	Graduation Rate
Elementary	♦	♦	♦	♦	
Middle	♦	♦	♦	♦	
High	♦	♦	♦		♦

P - 8	♦	♦	♦	♦	
P - 12	♦	♦	♦	♦	♦
7 - 12	♦	♦	♦	♦	♦

*Performance on science/social studies/ writing non-NCLB content areas, or reduction of novice.

Starting Points and Annual Measurable Objective (AMO)

To compute AMO in compliance with NCLB, Kentucky must apply to all schools a uniform percentage-Proficient-or-above baseline. This baseline must correspond to the 20th percentile of the distribution of all Kentucky schools. The 20th percentile starting points in reading and mathematics were calculated separately at the elementary, middle and high school levels. The reading and mathematics starting points for each school level are used for determining the AMO for each student subpopulation required by NCLB (i.e., students with disabilities, poverty, ethnicity, and limited English proficient).

The following chart displays the starting points from 2001-2002 and the AMO from 2002-2014 for both reading and mathematics. School configurations are listed across the top of the chart.

AMO in Reading and Mathematics by School Year and School Configuration

School Year	Elementary		Middle		High		Primary – 08		Primary – 12		07 – 12	
	Reading	Math	Reading	Math	Reading	Math	Reading	Math	Reading	Math	Reading	Math
2001-02	47.27	22.45	45.60	16.49	19.26	19.76	46.44	19.47	37.38	19.57	32.43	18.13
2002-03	47.27	22.45	45.60	16.49	19.26	19.76	46.44	19.47	37.38	19.57	32.43	18.13
2003-04	47.27	22.45	45.60	16.49	19.26	19.76	46.44	19.47	37.38	19.57	32.43	18.13
2004-05	53.86	32.14	52.40	26.93	29.35	29.79	53.14	29.54	45.21	29.62	40.88	28.36
2005-06	53.86	32.14	52.40	26.93	29.35	29.79	53.14	29.54	45.21	29.62	40.88	28.36
2006-07	53.86	32.14	52.40	26.93	29.35	29.79	53.14	29.54	45.21	29.62	40.88	28.36
2007-08	60.45	41.84	59.20	37.37	39.45	39.82	59.83	39.60	53.04	39.68	49.32	38.60
2008-09	67.04	51.53	66.00	47.81	49.54	49.85	66.53	49.67	60.86	49.73	57.77	48.83
2009-10	73.64	61.23	72.80	58.25	59.63	59.88	73.22	59.74	68.69	59.79	66.22	59.07
2010-11	80.23	70.92	79.60	68.68	69.72	69.91	79.92	69.80	76.52	69.84	74.66	69.30
2011-12	86.82	80.61	86.40	79.12	79.82	79.94	86.61	79.87	84.35	79.89	83.11	79.53
2012-13	93.41	90.31	93.20	89.56	89.91	89.97	93.31	89.93	92.17	89.95	91.55	89.77
2013-14	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

The term “starting points” is used when referring to NCLB beginning values. Starting points and targets are expressed as the percent of students at Proficient or above. The starting points and targets are the same for all students and all subpopulations of sufficient size in all schools and districts per grade level configuration. NCLB allows the flexibility of one starting point for reading and one for mathematics for all grade levels combined or one in each content area for each grade level.

NCLB specifies how the starting points must be set. The process for each school level (elementary, middle and high) was the same for reading and mathematics. The following steps were used to produce starting points for elementary reading:

1. The percentage of students scoring Proficient and above was calculated for each school.
2. The “at or above” Proficient percentages for all elementary schools were then ranked in descending order from the highest percentage to the lowest percentage. The total number of students tested at each school was also listed with this ranking.
3. Next, starting at the bottom of the list, with the lowest “at or above” Proficient percentage value, the number of students tested at each school was added incrementally until the cumulative number of students reached 20 percent of the total number of students in the state.
4. The percent “at or above” Proficient corresponding to the 20th-percentile school, i.e., the school at or below which 20 percent of the students in the state fell, became the starting point for reading at the elementary level in 2001-2002.

Once the above values were determined for reading and mathematics for elementary, middle and high school, the starting points for P-8, P-12 and 7-12 schools were then calculated. *The calculation for school districts was the same as for a P-12 school.* For reading, the following steps were used to set starting points:

1. For P-8 schools, the starting point for elementary school was first added to the starting point for middle school (i.e., $47.27 + 45.60 = 92.87$); this value was then divided by two to get the starting point (i.e., $92.87/2 = 46.44$).

2. For P-12 schools and districts, the starting points for elementary, middle and high school were first added (i.e., $47.27 + 45.60 + 19.26 = 112.13$); this value was then divided by three to get the starting point (i.e., $112.13/3 = 37.38$).
3. For 7-12 schools, the starting points for middle and high school were first added (i.e., $45.60 + 19.26 = 64.86$); this value was then divided by two to get the starting point (i.e., $64.86/2 = 32.43$).

Note: A similar process was used for mathematics for the same grade configurations.

The federal goal for AMO is for all students to reach Proficiency in reading and in mathematics by 2014. Once the starting points were established, yearly goals were set. The federal law requires that the AMO must be increased at least every three years. The Kentucky Board of Education (KBE) adopted the approach of establishing two, three-year plateaus of performance toward the goal of 100% proficiency. More specifically, Kentucky has established separate reading and mathematics intermediate goals or AMO for elementary, middle and high school grades that begin with two plateau-periods of three years each, including the 2002 baseline year, where the AMO remained the same. The first increase in intermediate goals took place in the 2007-2008 school year, and then the increases occur annually. This model allowed schools time to understand and adjust to the new federal requirements.

The federal accountability NCLB report to be delivered to schools in September 2010 reflects these starting points and AMO targets. The report shows school performance measured against the AMO targets outline on page 8 for 2010. When calculating the 2009-2010 results statewide for school districts, and for school buildings that span multiple grade levels, as well as for subpopulations within them, performance will be calculated as the percentage of students at proficient and distinguished across all grades in the school or district.

Percent Proficient or Above and Confidence Intervals

NCLB also requires states to establish a definition of Proficient performance for purposes of determining AYP in reading and mathematics. At its August 2003 Board meeting, the KBE decided that Kentucky would comply with the NCLB requirement by using its current

definition of Proficient to make AYP decisions. School and district percentages of student scoring Proficient and Distinguished are compared to AMOs in making AYP decisions. Recall that NCLB does not award additional credit for Distinguished.

Since NCLB requires a state's evaluation of AYP to be statistically sound, the U.S. Department of Education (USED) allows construction of a confidence interval (CI) or error band around percentages of students scoring Proficient or above. Confidence intervals for all students and subpopulations of *sufficient size* for reading and mathematics were constructed using a single sample t-test. The confidence interval or CI provides a test for whether or not the observed percent Proficient is statistically, significantly different from the AMO at the 99% confidence level.

Note: the t-test is a two-tailed t-test—alpha (error) level set at .01 – which creates a statistical test at the 99% confidence interval. *For NCLB, only the positive (upper) range of the confidence interval is used for AYP determination.* Technically, this application makes the statistical test a one-tailed t-test for a 99.5% confidence interval.

If a school's observed percent Proficient falls **below** the AMO, but the upper boundary of the confidence interval is **above** the AMO, it is concluded that the observed percentage is *not significantly different* from the AMO percentage. The school is considered to have made AYP. On the other hand, if the school's observed percent Proficient falls below the AMO and the upper boundary of the confidence interval is also below the AMO, then the school is considered to have failed to have made the AMO and thus AYP.

The formulas used for NCLB AYP calculations are:

$$SE_p = \frac{\sqrt{(P(1-P)N \div (N-1))}}{\sqrt{(N)}}$$

Where:

SE_p is the standard error of the proportion

N is the number or count of students

$\sqrt{()}$ is the square root of the number within the parenthesis

The confidence interval (CI) used for NCLB is:

Note: the observed **P** in this case is a proportion. It is converted to a percentage for reporting.

$$CI = P \pm (t\text{-critical}) (SE_P)$$

Where:

- CI** is the Confidence Interval
P is the proportion of students scoring Proficient or above
t-critical is the critical value for a two-tailed *t*-test at the .01 alpha level (99% CI) using degrees of freedom (**df**)
SE_P is the standard error of the proportion (as calculated above)

Note: The shape of the *t*-distribution directly depends, not on the sample size per se, but on the degrees of freedom (**df**), which is the number of scores in a distribution that are free to take on any value. The degrees of freedom for a particular statistical test will equal the sample size minus the number of parameters that have to be estimated from the sample, or N minus the number of restrictions on the data.

For the confidence interval used for NCLB, the number of restrictions is 1. So degrees of freedom for the confidence interval is N - 1. This is the number that is used when looking up the critical value for *t*.

Each side of the confidence interval (positive and negative) would be added to the percent scoring at or above Proficient to obtain the upper and lower boundaries of the confidence interval in reading or mathematics.

If the confidence interval overlaps the AMO, then the *t*-test shows that the difference between the AMO and the observed percent Proficient and above is *not* statistically significant and the school is considered to have met the AMO. If the target value or AMO is *outside* the confidence interval range (and the confidence interval range is *below* the AMO), then the *t*-test shows a statistically significant difference between the AMO and the observed percent Proficient and above. The school, therefore, is considered *not* to have met the AMO. It is important to remember that the application of the *t*-test for NCLB is through the confidence interval and this ensures that sampling error does not play a role in the evaluation of school results.

This chart allows you to visualize how the number of students and percent of students scoring “Proficient or Above” affect the confidence interval.

Confidence Interval* by Number of Students and Size of Proportion									
Percent of Students Proficient or Above									
Number of Students**	10%	20%	30%	40%	50%	60%	70%	80%	90%
10	± 32.50	± 43.33	± 49.64	± 53.07	± 54.16	± 53.07	± 49.64	± 43.33	± 32.50
20	± 19.69	± 26.25	± 30.08	± 32.15	± 32.82	± 32.15	± 30.08	± 26.25	± 19.69

30	± 15.36	± 20.47	± 23.46	± 25.08	± 25.59	± 25.08	± 23.46	± 20.47	± 15.36
40	± 13.01	± 17.34	± 19.87	± 21.24	± 21.68	± 21.24	± 19.87	± 17.34	± 13.01
50	± 11.49	± 15.31	± 17.54	± 18.76	± 19.14	± 18.76	± 17.54	± 15.31	± 11.49
60	± 10.40	± 13.86	± 15.88	± 16.98	± 17.33	± 16.98	± 15.88	± 13.86	± 10.40
70	± 9.57	± 12.76	± 14.61	± 15.62	± 15.95	± 15.62	± 14.61	± 12.76	± 9.57
80	± 8.91	± 11.88	± 13.61	± 14.55	± 14.85	± 14.55	± 13.61	± 11.88	± 8.91
90	± 8.37	± 11.16	± 12.79	± 13.67	± 13.95	± 13.67	± 12.79	± 11.16	± 8.37
100	± 7.92	± 10.56	± 12.10	± 12.93	± 13.20	± 12.93	± 12.10	± 10.56	± 7.92
600	± 3.16	± 4.21	± 4.82	± 5.16	± 5.26	± 5.16	± 4.82	± 4.21	± 3.16
1,500	± 2.00	± 2.66	± 3.05	± 3.26	± 3.33	± 3.26	± 3.05	± 2.66	± 2.00
2,000	± 1.73	± 2.30	± 2.64	± 2.82	± 2.88	± 2.82	± 2.64	± 2.30	± 1.73

*CIs in the table are percentages. See description above for details about how CIs are calculated.

**Number of students (N) is used to compute degrees of freedom: $df = N - 1$.

Safe Harbor

The term “safe harbor” is not a NCLB term; however, Kentucky and other states are using the term informally to characterize the situation in which a school or district's population or one of its subpopulations of sufficient size fails to meet its AMO, yet is held harmless. In other words, the school or district is treated as though it has achieved AYP, as a result of other favorable conditions.

Before safe harbor can be claimed, the participation rate must be 95% or above. The following conditions allow a school or district to claim "safe harbor" with respect to all students (or a subpopulation), when its AMO is not met.

A school that has not met the reading or mathematics AMO is considered to have met the objective in reading or mathematics if the school reduces its percent of total students or subpopulation(s) (whichever group(s) did not meet the reading or mathematics AMO) scoring below proficient by 10%.

NCLB Consequences

Note: Federal consequences only apply to Title I schools and districts.

When a Title I school fails to make AYP in the **same content area for two consecutive years**, a series of consequences are outlined in NCLB and are applied according to specific timelines.

The AMO must be missed in the same content area (for whatever reason) for two consecutive years for consequences to apply. NCLB consequences do *not* apply when a school misses its AMO in reading and reaches its AMO in mathematics in one year and in the next year, misses its AMO in mathematics and makes its AMO in reading.

It is important to note that if a school or district does not meet the requirement of the Other Academic Indicator, or does not test at least 95% of all enrolled students and each subpopulation of sufficient size, the school is considered to have missed its AYP in both reading and mathematics. If such a school misses its AMO in reading or mathematics the following year, the school will be considered as missing its AMO in the same content area for two consecutive years.

School Improvement—Year 1 (2 years not making AYP)

- Notify parents using state-provided information
- Implement school choice, and
- Write or revise school plan

School Improvement—Year 2 (3 years not making AYP)

- Notify parents using state-provided information
- Continue school choice
- Revise school plan, and
- Offer supplemental services

Corrective Action—Year 1 (4 years not making AYP)

- Notify parents using state-provided information
- Continue school choice
- Revise school plan
- Continue supplemental services, and
- Implement corrective action

Corrective Action—Year 2 (5 years not making AYP)

- Notify parents using state-provided information
- Continue school choice
- Revise school plan
- Continue supplemental services
- Continue corrective action, and
- Write a plan for Alternative Governance

Restructuring (6 years not making AYP)

- Notify parents using state-provided information
- Continue school choice
- Revise school plan
- Continue supplemental services
- Continue corrective action, and
- Implement Alternative Governance Plan

NOTE: Schools that continue not making AYP for additional years remain at the Restructuring level of consequences, which is indicated on the NCLB report with a hyphen and the number of years after Restructuring (i.e., Restructuring – Yr. 1; Restructuring – Yr. 2; etc.).

The following provides information about the timing of district consequences:

District Improvement—Year 1 (2 years not making AYP)

- Notify parents using state-provided information
- Revise district improvement plan
- Request technical assistance if needed, and
- May be subject to corrective action from KDE

District Improvement—Year 2 (3 years not making AYP)

- Notify parents using state-provided information
- Revise district improvement plan
- Request technical assistance if needed, and
- May be subject to corrective action from KDE

Corrective Action (4 years not making AYP)

- Notify parents using state-provided information
- Revise district improvement plan
- Technical assistance is provided by the state, and
- Subject to corrective action by KDE

NCLB requires school transfer within the district. KDE encourages districts to work with neighboring districts for transfer arrangements, if another school of the same level does not exist in the district. If a child moves, the original district must provide transportation to the new school as long as the original school remains an NCLB Improvement School. If the original school's status changes, the child may continue to attend the new school but parents may be asked to assume transportation responsibility.

State Assistance for Non-Title I Schools

Senate Bill 1, signed into law in March 2009, requires state accountability for Non-Title I schools based on NCLB reporting. If a non-Title I school does not make AYP in the **same content area for two consecutive years**, the school will be eligible for state assistance. The description “Eligible for State Assistance” will appear in the Consequences, School Status column, followed by the number “1” or “2” indicating the number of years eligible.

Removal from NCLB Consequences

Districts must meet set requirements before the removal from consequences occurs. To be removed from consequences a school or district must make overall AYP for two years consecutively. Once a school or district has been removed they are no longer in jeopardy of being placed back into consequences unless two consecutive years are missed in the same content area. If this were to occur, the entire consequence process would start over.

NCLB District Accountability Reports

NCLB requires district-level accountability to be based on an aggregate of students' scores from all schools in the district. District accountability for subpopulations, based upon aggregated scores, is also required. Current statute authorizes the KBE to establish district accountability by regulation, and the Board has promulgated a regulation to implement this federal requirement (703 KAR 5:130).

Sample NCLB Report

The sample NCLB Report is for a high school configuration.

If a Title I school/district does not meet its AMO in the same content area two years in a row, NCLB consequences will apply the following school year. *If a school or district does not meet the criteria for the Other Academic Indicator, or the participation rate was determined to be less than 95%, the school or district is considered to have missed AYP in both reading and mathematics and “No” would appear in both the reading and mathematics cells.* This is indicated on page two of the report, but not on page one under the heading Met Annual Measurable Objectives. If such a school misses its AMO in reading or mathematics the following year (for whatever reason), the school will be considered as missing AYP in the same content area for two consecutive years.



NO CHILD LEFT BEHIND ADEQUATE YEARLY PROGRESS REPORT - 2010

September 13, 2010

Sample County High School

Sample County

Grades: 09-12

Code:800003

Met 9 out of 10 target goals (90.0 percent)

Title I: No

Made Overall AYP: No

Under the federal No Child Left Behind Act a school/district must make 100 percent of its target goals in order to qualify as having made Adequate Yearly Progress (AYP).

Student Group*	Met Annual Measurable Objective		Met Participation Rate	Other Academic Indicator**
	Reading	Mathematics		
All Students	Yes	Yes	Yes	Yes
White (Non-Hispanic)	Yes	Yes	Yes	
African-American	n/a	n/a	n/a	
Hispanic	n/a	n/a	n/a	
Asian	n/a	n/a	n/a	
Limited English Proficiency	n/a	n/a	n/a	
Free/Reduced Lunch	Yes	NO	Yes	
With Disability	n/a	n/a	n/a	

For more information see the No Child Left Behind (NCLB) Interpretive Guide at: <http://www.education.ky.gov/>.

* If a student group is listed as n/a in the chart, it means there were not enough students in that group at this school to get a valid score for AYP purposes. Each student is included in the "All Students" group.

** Other Academic Indicator is defined on page 2.

*** If a subpopulation doesn't meet its Annual Measurable Objective, it can still be in "Safe Harbor" and considered to have made AYP if the school reduced by at least 10% the number of students in the subpopulation who perform below proficient.





Kentucky
No Child Left Behind (NCLB)
Adequate Yearly Progress Report - 2010
Based on Interim Assessment Results

School: Sample County High School
District: Sample County
Code: 800003
Title I: No

Testing Year	Annual Measurable Objective (AMO)		Adequate Yearly Progress (AYP) Summary			Consequences		
	Reading	Mathematics	Reading	Mathematics	Overall AYP	School Year	Title I	School Status
2001-02	19.26	19.76	N/A	N/A	N/A	2002-03	No	
2002-03	19.26	19.76	No	Yes	No	2003-04	No	
2003-04	19.26	19.76	Yes	No	No	2004-05	No	
2004-05	29.35	29.79	Yes	Yes	Yes	2005-06	No	
2005-06	29.35	29.79	Yes	Yes	Yes	2006-07	No	
2006-07	29.35	29.79	Yes	Yes	Yes	2007-08	No	
2007-08	39.45	39.82	Yes	No	No	2008-09	No	
2008-09	49.54	49.85	Yes	Yes	Yes	2009-10	No	
2009-10	59.63	59.88	Yes	No	No	2010-11	No	
2010-11	69.72	69.91				2011-12		
2011-12	79.82	79.94				2012-13		
2012-13	89.91	89.97				2013-14		
2013-14	100.00	100.00				2014-15		

The above table displays a summary of AYP decisions for reading, mathematics, and overall; and information about consequences.

Adequate Yearly Progress (AYP)

AYP is the term used in the federal No Child Left Behind (NCLB) Act to categorize whether a school or school district has met federal accountability requirements. Three components combine to determine whether a school or district achieves AYP:

1. Annual Measurable Objective (AMO) in reading and mathematics,
2. Participation Rate, and
3. Other Academic Indicator.

The Other Academic Indicator differs depending on the grade level of the school or district:

Elementary and Middle School Level:

1. Increase percentage Proficient plus Distinguished [P+D%] in combined science, social studies and writing on-demand compared to prior year; **or**
2. Perform at or above the state average percentage Proficient plus Distinguished [P+D%] in combined science, social studies and writing on-demand plus a confidence interval; **or**
3. Decrease percentage novice in combined reading, mathematics, science, social studies and writing on-demand compared to the prior year.

High School Level:

1. Graduation rate must meet the state goal of 86.75 **or**
2. Graduation rate must have increased by 2% when compared to the prior year.

Sufficient Size

For Annual Measurable Objectives: (Accountable Students)

1. at least 10 students in the subpopulation in each grade where NCLB assessments are administered, **AND**
2. at least 60 students in the subpopulation in these combined grades **OR** the number of students in the subpopulation is at least 15% of all students in these combined grades.

For Participation: (Tested Students)

1. at least 10 students in the subpopulation in each grade where NCLB assessments are administered, **AND**
2. at least 60 students in the subpopulation in these combined grades.

Safe Harbor (Denoted by "Safe")

A school that has not met the reading or mathematics AMO is considered to have met the objective in reading or mathematics if the school district reduces its percent of total students or subpopulation(s) (whichever group(s) did not meet the reading or mathematics annual measurable objective), scoring below proficient by 10%.

NCLB Consequences (Title I)

School Improvement - Yr 1 (2 years not making AYP): Notify parents, implement school choice, and write or revise school plan.

School Improvement - Yr 2 (3 years not making AYP): Notify parents, continue school choice, revise school plan, and offer supplemental services.

Corrective Action - Yr 1 (4 years not making AYP): Notify parents, continue school choice, revise school plan, continue supplemental services, and implement corrective action.

Corrective Action - Yr 2 (5 years not making AYP): Notify parents, continue school choice, revise school plan, continue supplemental services, continue corrective action and write a plan for Alternative Governance.

Restructuring (6 years not making AYP): Notify parents, continue school choice, revise school plan, continue supplemental services, continue corrective action and implement Alternative Governance Plan.

State Assistance (Non-Title I)

Senate Bill I, signed into law in March 2009, requires state accountability for Non-Title I schools. If a non-Title I school does not make AYP in the same content area for two consecutive years, the school will be eligible for state assistance. The description "Eligible for State Assistance" will appear in the Consequences, School Status column, followed by the number "1" or "2" indicating the number of years eligible.

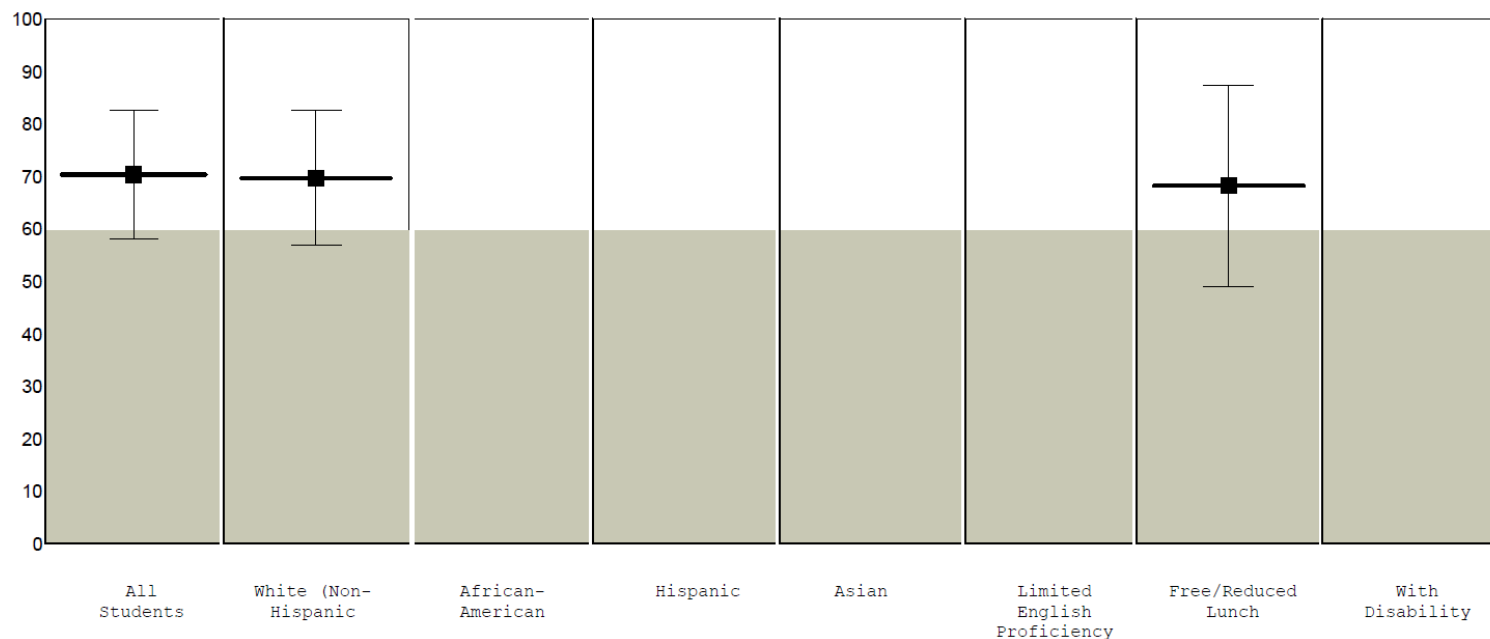
It is important to note that if a school or district does not meet the requirements of the Other Academic Indicator or Participation Rate, the school or district is considered to have missed AYP in both reading and mathematics.



Kentucky
No Child Left Behind (NCLB)
Adequate Yearly Progress Report - 2010
Based on Interim Assessment Results

School: Sample County High School
District: Sample County
Code: 800003
Title I: No

2010 Reading AMO



	Reading AMO				Participation Rate			Other Academic Indicators			
	2009		2010		2010			P + D % (Novice %)		Graduation Rate	
	No. Students	% Proficient	No. Students	% Proficient (Low, High)	Enrollment	Tested	Pct	2009	2010	2008	2009
All Students	198	74.51	197	70.41 (58.23, 82.59)	196	196	100.00	N/A	N/A	90.63	89.08
White (Non-Hispanic)	188	77.55	182	69.66 (56.76, 82.56)	182	182	100.00	Denote:	x - Below AYP Target s - Safe Harbor * - 15% of Population c - Combined LEP a - Above State Average 2 - Two Year Average 3 - Three Year Average		
African-American	5		9		9						
Hispanic	2		1		1						
Asian	0		0								
Limited English Proficiency	0		0								
Free/Reduced Lunch	88	59.18	91	68.18 (49.04, 87.32)	89	89	100.00				
With Disability	24		21		21						

- The graph above presents the 2010 percentage of students at or above proficiency with a 99% confidence interval.
- The top of the shaded area of the graph indicates the 2010 Annual Measurable Objective (AMO) target for reading.
- The 2010 percent proficient or above is presented in the table along with the low and high points of the confidence interval around the 2010 percentage.
- The areas highlighted in red indicate where Adequate Yearly Progress (AYP) was not made.
- The No. Students column includes the total of all accountable students in each grade where NCLB assessments are administered.

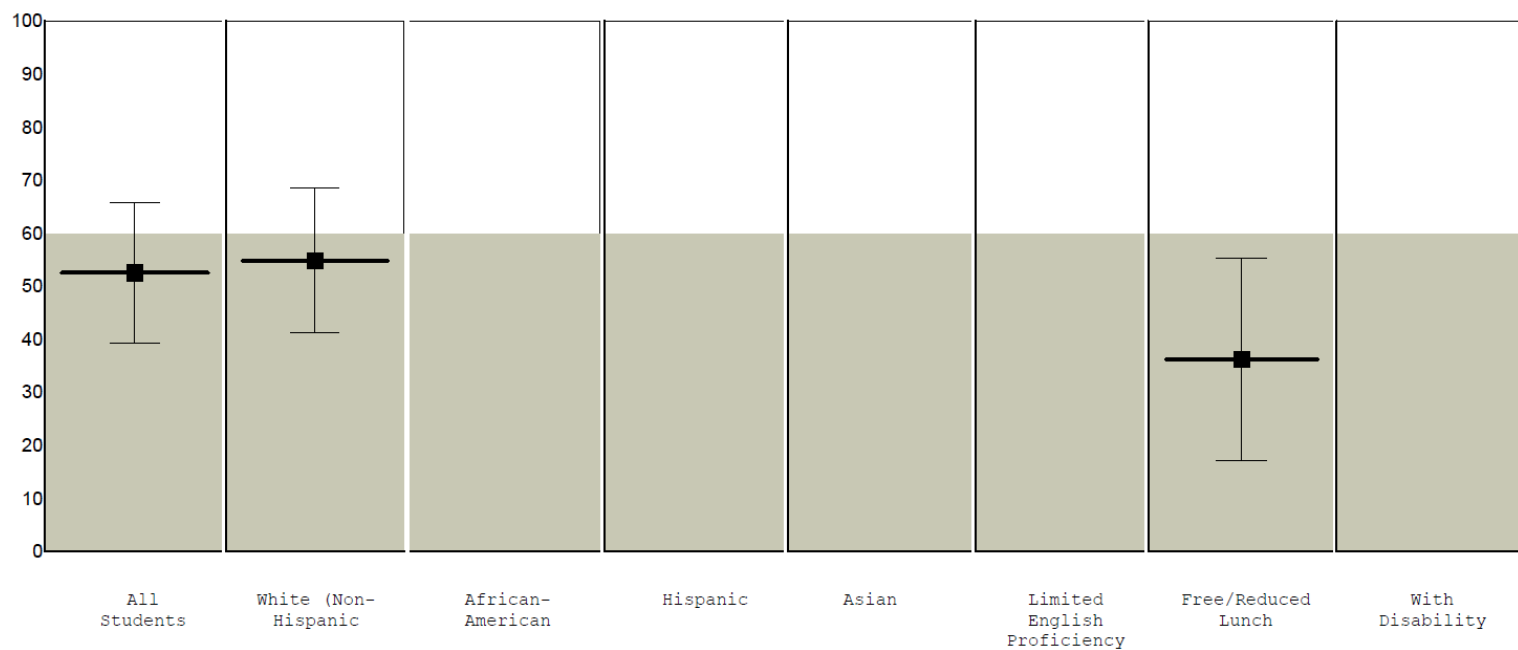
Run Date: 9/13/2010



Kentucky
No Child Left Behind (NCLB)
Adequate Yearly Progress Report - 2010
Based on Interim Assessment Results

School: Sample County High School
District: Sample County
Code: 800003
Title I: No

2010 Mathematics AMO



	Mathematics AMO				Participation Rate			Other Academic Indicators			
	2009		2010		2010			P + D % (Novice %)		Graduation Rate	
	No. Students	% Proficient	No. Students	% Proficient (Low, High)	Enrollment	Tested	Pct	2009	2010	2008	2009
All Students	198	54.17	197	52.53 (39.28, 65.78)	196	196	100.00	N/A	N/A	90.63	89.08
White (Non-Hispanic)	188	56.67	182	54.84 (41.19, 68.49)	182	182	100.00	Denote:	x - Below AYP Target s - Safe Harbor * - 15% of Population c - Combined LEP a - Above State Average 2 - Two Year Average 3 - Three Year Average		
African-American	5		9		9						
Hispanic	2		1		1						
Asian	0		0								
Limited English Proficiency	0		0								
Free/Reduced Lunch	88	53.85	91	x 36.17 (17.13, 55.21)	89	89	100.00				
With Disability	24		21		21						

- The graph above presents the 2010 percentage of students at or above proficiency with a 99% confidence interval.
- The top of the shaded area of the graph indicates the 2010 Annual Measurable Objective (AMO) target for mathematics.
- The 2010 percent proficient or above is presented in the table along with the low and high points of the confidence interval around the 2010 percentage.
- The areas highlighted in red indicate where Adequate Yearly Progress (AYP) was not made.
- The No. Students column includes the total of all accountable students in each grade where NCLB assessments are administered.

Run Date: 9/13/2010

Appendix A

Definitions for Implementation of NCLB for Districts and Schools, 2009-2010

Definitions for Implementation of NCLB for Districts and Schools, 2009-2010		
Issue	2009-2010	Comments
Full Academic Year 703 KAR 5:001 Sec. 1 (21), (22)	One hundred (100) <i>instructional</i> days (not necessarily consecutive) of enrollment in a school, from the first day of school to the first day of testing window.	No change since 2003-2004.
Sufficient Size for Participation Rate 703 KAR 5:001 Sec. 1 (35), (36), (52)	Computed only when the school or district has 10 subpopulation students per accountability grade tested per year and 60 subpopulation students school-wide at the school in the accountability grades tested.	No change since 2006-2007 when additional grades were included. Kentucky regulation permits up to a three year average of data in the calculation of participation rate.
Sufficient Size for Annual Measurable Objective (AMO) 703 KAR 5:001 Sec. 1 (52)	Both (1) and (2) below are required. Note that (2) may be accomplished in two ways: (1) 10 subpopulation students tested per grade per year; and (2) (a) 60 subpopulation students school-wide in the KCCT grades; or (b) Subpopulation count comprises 15% of all accountable students in the KCCT grades.	Size based on current year data only. Tests used for 2010 NCLB reporting are: <ul style="list-style-type: none"> • KCCT reading grades 3-8 & 10 • KCCT mathematics grades 3-8 & 11
Calculation of Annual Measurable Objective (AMO) 703 KAR 5:020 Sec. 10 (3), (9b) 703 KAR 5:130 Sec. 8 (3), (7b)	Calculations for 2010 NCLB reporting of Annual Measurable Objectives are based on current year KCCT data. If a school or district does not meet the AMO goal based on current year data, data may be averaged from performance of previous years.	Kentucky regulation permits up to a three year average of data in the calculation of AMOs.
Other Academic Indicator 703 KAR 5:060	<u>Elementary and Middle:</u> 1. Increase percentage proficient plus distinguished in combined KCCT science, social studies and on-demand writing as compared to last year; or, 2. Perform at or above the	Changed for 2010.

Definitions for Implementation of NCLB for Districts and Schools, 2009-2010		
Issue	2009-2010	Comments
	<p>state average percentage proficient plus distinguished in combined KCCT science, social studies and on-demand writing plus a confidence interval; or, 3. Decrease percentage novice in all five KCCT content areas combined as compared to last year.</p> <p><u>High</u>: The Other Academic Indicator at high school is prior year data. The NCLB 2010 report of graduation rate is based on 2009 graduates. Schools meet this indicator if their graduation rate is equal to or exceeds the state goal of 86.75; or, the graduation rate must increase by 2% when compared to the prior year.</p>	Two percent change in graduation rate in 2010.
Graduation Rate Calculation 703 KAR 5:001	<p>In addition to students who receive four-year diplomas, the following students qualify as graduates:</p> <ul style="list-style-type: none"> Students, who do not graduate in four years, but have an Individualized Education Plan (IEP) documenting their need for more than four years of secondary school education to complete their program. 	No Change in Leaver Formula since 2003-2004.
Drop-Out Count in Graduation Rate Calculation	<p>Students in the school drop-out count include:</p> <ul style="list-style-type: none"> Students who withdraw from a Kentucky school <i>and</i> do not enroll in another school or district or district-contracted General Educational Diploma (GED) program, or Students who enroll in a GED program, but do not earn their GED by October of the following year. 	No change since 2004-2005.

Definitions for Implementation of NCLB for Districts and Schools, 2009-2010		
Issue	2009-2010	Comments
Alternate Assessment Federal One-Percent Cap	The alternate assessment federal one-percent cap is on the scores reported as proficient and above, and not on the number of students that can be identified to participate in alternate assessment.	Applied for 2010 reporting.
Safe Harbor 703 KAR 5:060	Safe harbor provides a school/district that has not met the AMO in reading and mathematics a second opportunity to meet AMO by showing improvement. The school/district is considered to have met the objective in reading or mathematics if the school reduces its percent of total students or subpopulation(s) (whichever group(s) did not meet the reading or mathematics (AMO) scoring below proficient by 10%.	Change for 2010.

Definitions for Implementation of NCLB for Districts and Schools, 2009-2010		
Issue	2009-2010	Comments
Limited English Proficient (LEP) Students 703 KAR 5:070 <i>Inclusion of Special Populations in the State- Required Assessment & Accountability Program</i>	<p><u>First Year:</u> New LEP students are counted in participation rate, but need not be included in AYP. New LEP students:</p> <ul style="list-style-type: none"> • Must be tested using a state-approved English language proficiency assessment. • Must be tested in mathematics (grades 3-8 and 11, and, science (grades 4, 7 and 11). • May be tested in reading (grades 3-8 and 10). • The English language proficiency test will be used for determining Participation Rate instead of reading. <p><u>Second and Subsequent Years:</u></p> <ul style="list-style-type: none"> • Must participate in all state-required assessments. • The test scores of LEP students are included in AYP reports. <p><u>LEP Subpopulation Membership:</u></p> <ul style="list-style-type: none"> • Students must be retained in the LEP accountability subpopulation for up to two years following attainment of English proficiency as reflected on results of the state-approved English language proficiency test. • However, in connection with reporting subpopulation results, LEP students who have attained English proficiency may be excluded from <i>subpopulation size</i> computation. 	No change since 2003-2004.

Appendix B

No Child Left Behind Reporting Kentucky 2010 Overview

No Child Left Behind (NCLB) Reporting

Kentucky 2010 Overview

Senate Bill 1 (2009 Kentucky General Assembly) outlined significant changes to the state assessment and accountability program. Interim Assessment Regulation (703 KAR 5:060) establishes procedures for NCLB reporting.

How do schools and districts make Adequate Yearly Progress (AYP)?

To make AYP, all students and student populations of sufficient size in the school and district must:

- a) Meet annual measurable objectives (AMO), a target expressed as the percentage of students reaching the Proficient performance level, in reading and mathematics (up to 3 years of data is averaged); **AND**
- b) Meet criteria for Other Academic Indicator; **AND**
- c) Have a participation rate of at least 95%.

What student groups are reported?

All Students; Race and Ethnicity: White (Non-Hispanic), African-American, Hispanic, and Asian; Limited English Proficiency; Economically Disadvantaged (Free and Reduced Lunch); and Students with Disabilities

How many students enrolled for a full academic year (100 instructional days) must be in a group each year before the group reaches sufficient size?

For reporting of Annual Measureable Objectives for Reading and Mathematics

- a) 10 students per grade per year where NCLB assessments are administered; **AND**
- b) 60 students when these grades are combined* **OR** 15% of the accountable students

For reporting of Participation Rate for Reading and Mathematics

- a) 10 students per grade per year where NCLB assessments are administered; **AND**
- b) 60 students per these grades combined

* *The Kentucky Core Content Test (KCCT) in reading and mathematics are administered annually in grades 3 through 8 and once in high school—reading at grade 10 and mathematics at grade 11.*

To improve stability of data for student groups that are often small in number, NCLB permits states to use a confidence interval during reporting. Kentucky reports NCLB data with confidence bands.

What is Safe Harbor?

A school that has not met the reading or mathematics AMO, is considered to have met the objective in reading or mathematics if the school reduces its percent of total students or subpopulation(s) (whichever group(s) did not meet the reading or mathematics AMO) scoring below proficient by 10%.

What is the Other Academic Indicator?

To meet the “other academic indicator” at elementary and middle a school must:

1. Increase percentage Proficient plus Distinguished (P+D%) in combined KCCT science, social studies and on-demand writing as compared to last year; **OR**
2. Perform at or above the state average percentage Proficient plus Distinguished (P+D%) in combined KCCT science, social studies and on-demand writing plus a confidence interval; **OR**
3. Decrease percentage Novice in all 5 KCCT content areas combined as compared to last year.

The “other academic indicator” at high school must be graduation rate. How is it calculated?

The “other academic indicator” is prior year data. The NCLB 2010 report of graduation rate is based on 2009 graduates. Schools meet this indicator if their graduation rate is equal to or exceeds the state goal of 86.75; **OR** the graduation rate must increase by 2% when compared to the prior year (required by federal peer review).

2009 graduates with standard diploma in 4 years *plus* 2009 graduates with standard diploma and an IEP specifying more than 4 years to graduate

Graduation rate is the quotient =

divided by

2009 completers (all students with standard diplomas *plus* certificate of attainment) *plus* 2009 grade 12 dropouts *plus* 2008 grade 11 dropouts *plus* 2007 grade 10 dropouts *plus* 2006 grade 9 dropouts

For questions or additional information, please contact the Division of Support and Research by e-mail at dacinfo@education.ky.gov or by phone at 502-564-4394.

KDE:OAA:DSR:cg/09/07/10

Appendix C

Alternate Assessment Proficient Scores Exceeding the Federal One-Percent Cap for District

Alternate Assessment Proficient Scores Exceeding the Federal One-Percent Cap for District

Federal regulations (around NCLB) clarify that a state is permitted to use alternate achievement standards to evaluate the performance of students with the most significant cognitive disabilities and to give equal weight to proficient and advanced performance based on the alternate standards in calculating school, district, and state AYP, **provided that the number of proficient and advanced scores based on the alternate achievement standards does not exceed 1.0 percent of all students in the grades tested at the State or Local Education Agency (LEA) level.*** The Secretary may approve an exception for a specified period of time for a state (or a state may approve a higher limit for a LEA.)

Alternate achievement standards are appropriate only for students with the most significant cognitive disabilities. The intent was to provide for a narrow population of children with disabilities whose proficient and advanced scores based on alternate achievement standards may be included in AYP calculations. Although some argued that no limit should be imposed on the use of scores based on alternate achievement standards in calculating AYP, the U. S. Secretary of Education has determined that a cap is warranted both to protect the interests of individual students (by providing an incentive for schools to provide maximum learning opportunities to each student) and to protect the meaningful interpretation and use of state assessment results for determining school, district, and state AYP. This will ensure that states, LEAs, and schools are held accountable for the academic progress of these students and that students with the most significant cognitive disabilities are assigned to a curriculum that is appropriately challenging.

****(Note that the cap is on the scores reported as proficient and above, not on the number of students that can be identified to participate in Alternate Assessment.)***

During the most recent federal monitoring visit, Kentucky was cited for not applying the one-percent cap during the reporting of NCLB results.

Kentucky has submitted the following steps to USED and applied them to district data to reduce the number of Alternate Assessment students reported as proficient to the allowable one-percent maximum. These data changes do NOT impact individual student reports or school reports. The changes have only been applied, as federally required, to the district level NCLB reports. Note: The Interim Performance Report (IPR) is not impacted at any level.

ONE PERCENT CAP STEPS

Step 1: Identification of Districts Exceeding One Percent Cap

The Office of Assessment and Accountability (OAA) conducts data analysis to identify districts in which greater than one-percent of Alternate Assessment students have scored proficient or above.

Step 2: Notification of Districts Exceeding One Percent Cap

District Assessment Coordinators (DACs) in districts exceeding the one percent cap are notified of this condition and provided an opportunity to submit additional information for the KDE to consider.

Step 3: Justification Submitted by Districts Exceeding One Percent Cap

Districts submit to KDE an explanation to justify why district has exceeded the one percent cap.

Step 4: Review of Justification

KDE staff reviews the justification submitted from districts and decides to support or not support the justification. Districts will be notified of decision. Reasons to support the justification will be based on federal guidance. If supported, district work is completed and KDE staff move to Step 6. If not supported, districts move to Step 5.

Step 5: Determination of Necessary Data Change

OAA, in order to bring the district into alignment with the one percent cap, will use the following process to calculate which proficient scores are counted as non-proficient at the district level. Scores of proficient students are reassigned first and scores of distinguished students are reassigned second. The reassignments occur in the following order:

1. Student records with the most recent date of birth are reassigned first, followed by the next most recent date of birth, and so on, until the least recent date of birth is reassigned.
2. Student records with the lowest State Student Identification Number (SSID) are reassigned first, followed by the next highest SSID, and so on, until the highest SSID is reassigned.